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Serial No. 10/668,523  
60246-218**REMARKS**

Applicant wishes to thank the Examiner for the detailed remarks. Claims 24-26 and 32-55 have been cancelled, claims 1, 2, 13, 14, 15 and 16 have been amended, and new claims 56-58 have been added. Accordingly, claims 1-23, 27-31 and 56-58 are pending in the application.

Applicant filed informal drawings with the application. Attached herewith are formal replacement drawings.

Claims 2 and 3-16 were rejected under 35 U.S.C. §112, second paragraph. The Examiner indicated that the recitation "said photo catalytic coating oxidized contaminants" in claims 2 and 13 was unclear. Additionally, the Examiner indicated that the recitation "said containments" lacks antecedent basis in claims 14 and 15, and the terms "PCB" and "PAH" in claim 15 are indefinite without an explanation of what they mean. Additionally, the Examiner indicates that recitation "cover" is incorrect claim 16. Claims 2 and 13-16 have been amended and Applicant respectfully requests the rejections be withdrawn.

Claims 1-3, 12-14, 16, 18-25 and 28-31 were rejected under 35 U.S.C. 102(b) as being anticipated by JP '484. Amended claim 1 recites the limitation that the light source includes "a lens having a non-uniform thickness." As the Examiner recognizes by relying on Horton III for providing a lens in another rejection, JP '484 fails to disclose the feature of a lens as recited in amended claim 1. For this reason, Applicant respectfully requests that rejection be withdrawn.

Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP '484 in view of JP '937. As explained above, JP '484 fails to disclose the claimed feature of a lens as recited in amended base claim 1. The Examiner relies on JP '937 for a treating device having a photocatalyst. JP '937 fails to provide a lens or motivation for modifying JP '484 to include a lens. Accordingly, rejection of claims 4 and 5 should be withdrawn.

Claims 6-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP 484 in view of Popov. As explained above, JP '484 fails to disclose the claimed feature of a lens as recited in amended base claim 1. The Examiner relies on Popov for the feature of a lamp that generates visible and UV light. Popov fails to provide a lens or motivation for modifying JP '484 to include a lens. Accordingly, the rejection of claims 6-8 should be withdrawn.

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Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over JP '484 in view of JP '016. As explained above, JP '484 fails to disclose the claimed feature of a lens as recited in amended base claim 1. The Examiner relies on JP '016 for a treating device having a photocatalyst. JP '016 fails to provide a lens or motivation for modifying JP '484 to include a lens. Accordingly, the rejection of claim 9 should be withdrawn.

Claims 10, 11, 15, 26 and 27 were rejected under 35 U.S.C. 103 as being unpatentable over JP '484 in view of Horton III. The Examiner relies on Horton III for providing a lens (column 5, line 35 to column 6, line 24) and argues that it would have been obvious to have modified JP '484 with the lens of Horton III to maximize the intensity, focus, and control of the UV light.

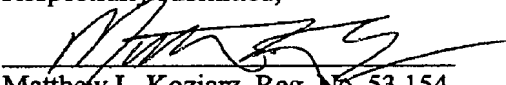
Respectfully, the rejection fails to establish *prima facie* obviousness. It is axiomatic that an obviousness rejection requires a modification of a base reference. The Examiner has failed to provide any instruction as to how JP '484 is modified with the lens of Horton III. The rejection states that Horton III discloses a lens and that incorporating the lens would purportedly maximize the intensity, focus, and control of the UV light. However, the rejection fails to provide any instruction whatsoever of how or in what location the lens would be incorporated into the arrangement in JP '484 to achieve the purported benefit. Accordingly, the rejection is improper and should be withdrawn.

Claims 10, 15, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP '484. As explained above and admitted by the Examiner, JP '484 fails to disclose a lens as recited in amended base claim 1. Accordingly, the rejection of claims 10, 15, and 17 should be withdrawn.

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Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees.


Respectfully submitted,

  
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on April 26, 2007.

  
Laura Combs